

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 13

MARVEN WAMWRIGHT,

Case No. 13-43546 (ESS)

Debtor.

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MARVEN WAMWRIGHT,

Plaintiff,

Adv. Proc. No. 13-01529 (ESS)

- against-

CADLE ROCK JOINT VENTURE, L.P.,  
JP MORGAN CHASE, DELSHA 721  
FIFTH 45K LLC, MARC BENHURI,  
MOISES KROITORO AND BERTHA  
EPSTEIN,

Defendants.

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**AFFIRMATION IS SUPPORT OF MOTION OF  
DEFENDANT JPMORGAN CHASE BANK, N.A.  
S/H/A JP MORGAN CHASE TO DISMISS COMPLAINT**

Jacqueline M. Della Chiesa, an attorney duly admitted to practice law before this Court,  
hereby affirms the following under the penalties of perjury:

1. I am an associate of the law firm of Stagg, Terenzi, Confusione & Wabnik, LLP,  
attorneys for defendant, JPMorgan Chase Bank, N.A., s/h/a JP Morgan Chase (“Chase”), and I  
am fully familiar with the facts and circumstances of the matter herein.

2. This affirmation is respectfully submitted in support of Chase’s motion to dismiss  
(“Motion”) the complaint (“Complaint”) filed by debtor Marven Wamwright (the “Debtor”) ,  
pursuant to Federal Rule of Civil Procedure 8(a) and 12(b), made applicable to this adversary

proceeding by Federal Rule of Bankruptcy Procedure 7008 and 7012, and to submit the following exhibits to the Court:

- Debtor's Chapter 13 petition (Bankr. E.D.N.Y. Case No. 13-43546 (ESS)) (ECF Doc. No. 1) (Exhibit A);
- Debtor's Amended Schedules (Bankr. E.D.N.Y. Case No. 13-43546 (ESS)) (ECF Doc. No. 22) (Exhibit B);
- Debtor's Deficiency Schedules (Bankr. E.D.N.Y. Case No. 13-43546 (ESS)) (ECF Doc. No. 23) (Exhibit C);
- Order Dismissing Debtor's Chapter 13 Case dated October 29, 2013 (Bankr. E.D.N.Y. Case No. 13-43546 (ESS)) (ECF Doc. No. 27) (Exhibit D);
- Adversary Proceeding Complaint (Adv. Proc. No. 13-01529 (ESS)) (ECF Doc. No. 1) (Exhibit E);
- Order issued in Chapter 11 case filed by Imperial Capital LLC in Southern District of New York (J. Bernstein) dated November 16, 2012 (Bankr. S.D.N.Y. Case No. 12-13809 (SMB)) (ECF Doc. No. \_11) (Exhibit F).
- Certificate of Service of the Adversary Proceeding Complaint (Adv. Proc. No. 13-01529 (ESS)) (ECF Doc. No. 3) (Exhibit G);
- Printout of NYC ACRIS property records (Exhibit H); and
- Copies of property deeds obtained from NYC ACRIS property records system (Exhibit I).

Dated: Garden City, New York  
December 20, 2013

/s/ Jacqueline M. Della Chiesa  
Jacqueline M. Della Chiesa